

CHAPTER 5

DISASTER ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT, 42 U.S.C. 5121, ET SEQ

5-1. Purpose. This chapter prescribes the FM procedures for operations under the Stafford Act and supplements guidance in the FM Annex to the NRP. These documents prescribe policies and procedures pertaining to the funding and financial accounting for disaster assistance under the Stafford Act. Additional information regarding disaster assistance is contained in the Emergency Support Function (ESF) #3 Field Guide and ER 11-1-320. See Appendix C1 and C2 for the commonly used funding documents used in this process.

5-2. Program Description. The Stafford Act authorizes FEMA to provide disaster response and recovery assistance to affected state(s) and local jurisdictions. It also authorizes FEMA to engage the resources of other federal departments and agencies to provide disaster assistance with or without reimbursement during a major disaster. The NRP is the planning document, which provides policy and guidance to federal agencies for implementing the Stafford Act.

5-3. Funding – Supported MSC/District.

a. A request from an authorized FEMA official to the appropriate MSC representative for USACE disaster assistance, which includes the funding authorization, is considered to be valid for reimbursable work. A district must not receive a mission assignment directly from FEMA, instead all mission assignments FEMA (Form 90-129) should be received at the MSC level and then forwarded via e-mail/fax to the supported district (See Appendix C-2 through C-5.) If the initial request is made verbally, use Memorandum for Record (MFR) format in Appendix C-6. **FEMA is the only agency from which the Corps accepts verbal authorizations. FEMA verbal authorizations will be followed up with a correct mission assignment number.** It is a preferred business practice to obtain a signature from a FEMA official, however, at the discretion of the supported district commander, the verbal mission assignment can be processed with only the USACE signature if a FEMA official is not readily available and waiting to obtain the FEMA signature would impact the execution of the mission. If action is to be executed by the MSC, ensure a copy of all MFRs or MAs are provided to the RM Office. RM must have a MFR (e-mail is acceptable) as a financial source document prior to establishing funding in CEFMS. Ensure the official copy of the MA is received within two or three days after verbal authorization (If not received by the Districts, districts should be contacting the Division. If not received by the Division, they will contact FEMA). Mission assignments may be tasked from supported MSC Commanders to supported District Commanders. Copies must be provided to the EOC and RM of the supported district. The MSC EOC is also responsible for providing a copy of all MAs and MFRs to the UOC.

b. Supported MSC/District personnel entering funding in CEFMS should have a working knowledge of the various types of disaster relief funds. This knowledge is pertinent in determining the structure of the customer order number(s) and the limitation of its usage. Each time a new program code/event number is established, FEMA will not deobligate any funds until notification of Financial Close Out is received from COE. Funds remain obligated in FEMA's Financial System and are available until final reimbursement is received. Similarly, each time a new program code/event number is established, charges for all mission assignment activities on the prior program code/event number should cease. Upon the issuance of a new mission assignment under the new program code/event number, charges will resume under the new mission assignment. Additionally, the supported MSC/District must provide appropriate funds whenever a deployed team member is reassigned to a different mission.

(1) Pre-Declaration funds are identified by program code/event number 7220-SU which may be used for up to a maximum of *seven to ten days, unless otherwise authorized in writing by FEMA to use beyond the ten days*. These funds are normally used to activate ESF #3 and may include mission specific personnel (i.e., ice, water, contracting) and the 249th Engineer Battalion (Prime Power).

(2) Emergency Declaration funds are identified by program code/event number 3XXX EM and may be expended until exhausted, directed by FEMA to terminate usage, or until a "Disaster Declaration" is declared by the President. (Note, the President also makes Emergency Declarations.) These funds are normally used by USACE to execute missions in support of the emergency response.

(3) Major Disaster Declaration funds are identified by program code/event number 1XXX-DR and will be used until completely expended or otherwise directed by FEMA. These funds are normally used by USACE to execute missions in support of major disaster response.

c. Receipt of Mission Assignments.

(1) Upon receipt of mission assignments (verbal or written), obtain P2/CEFMS work item. MSCs/Districts operating in P2 environment will establish the work item(s) in P2 and OP will transfer work items to CEFMS. Work item(s) should be given to the CEFMS fund creator. If operating outside the P2 environment, EM/RM (in accordance with business processes in effect at the site) must establish work item(s), resource plan(s), and customer order(s). All work items established in support of a FEMA mission must include the Command Indicator Code (CIC) "99FEM". Supported as well as Supporting MSC/Districts are required to use CIC code "99FEM" on all work items where the initial source appropriation is 70X0702. The CIC "99FEM" does not change from one fiscal year to another. This code identifies all FEMA

customer order bills as “special handling” and is important to the USACE Finance Center (UFC) in determining which bills are FEMA (disaster) related. CIC is also utilized by the UFC to gather the required documentation (Customer Order Detailed Costs reports) to forward to the Supported MSC/Districts.

(2) FEMA funds are ‘NO YEAR’, therefore put an estimated date on the customer order and amend the date in CEFMS if it is not financially complete by the approximate date. An amendment to that MA is not required. The date on FEMA Form 90-129 refers to the project (task) being operationally complete. If the work will not be operationally (physically) complete by the date on FEMA Form 90-129, the Mission Manager should ask for an amendment prior to the end date. If the work is physically complete, an amendment to FEMA Form 90-129 is not required.

(3) The source appropriation for FEMA mission assignments is 70X0702, Disaster Relief. The mission assignment must be financed as a “FUNDED REIMBURSEMENT” under the civil works appropriation 96X3125. **The USACE Civil Works Revolving Fund, 96X4902, will NOT be used to fund FEMA missions. Exception would be Japan and Korea Districts use 96X4902 as a carrier account for their FEMA related funding because they are Military Funded only and do not receive civil funds.**

(4) Pre-declaration mission. Upon receipt of FEMA Form 90-129, the standard format for assignment of customer order numbers should be established as follows:

SAD - 02 - FL - JEANNE
DIVISION MISSION # DISASTER STATE EVENT NAME

SAD-02-FL-JEANNE, (definition: South Atlantic Division, mission #2, Florida, Hurricane JEANNE).

(5) Verbal missions. Verbal missions are authorizations granted by FEMA on a “Memorandum for Record” (MFR). See Appendix C-6. Because mission assignment numbers cannot be provided by FEMA on a verbal mission the following procedures are established to facilitate the process of inputting verbals in a timely manner. Upon receipt of a verbal MFR, the standard format for verbal pre declaration to accommodate the time lag between a verbal and an actual FEMA mission assignment Form 90-129 will be established as follows:

(a) When entering verbal MAs received from FEMA:

(1) Insert the alpha character “V” In the Customer Order Number field in CEFMS, after the Verbal Mission Assignment Number. For example:

Customer Order Number
Pre-Declarations : SAD60FL-JEANNE-V
Emergency Declarations : SAD01PR-3222EM-V
Disaster Declarations : SAD02FL-1561DR-V

SAD - 60 - FL - JEANNE - V
Division Mission# Disaster State Event Name Verbal

SAD60FL-JEANNE-V, (definition: South Atlantic Division, mission # (this is a COE generated number of choice issued by the TL/ATL representative), Florida, Event Name (limited to the first six characters, Verbal.) Note: the “COE” is dropped when establishing the customer order number.

(2) On CEFMS screen 2.13, leave the “Customer Ref No” field blank until the official MA (FEMA Form 90-129) is received. Under CEFMS field “OTH CUSTOMER REF NO,” enter the CEFMS work item, name of the mission (i.e., Regional Activation) and event name such a “Hurricane Jeanne.” Information in the CUSTOMER REF NO and OTH CUSTOMER REF NO fields will then appear on all customer order billings associated with the mission.

(3) All verbals must cite a COE generated number issued by TL/ATL. Verbal missions. Verbal missions are authorizations granted by FEMA on a “Memorandum for Record” (MFR). See Appendix C-6. Because mission assignment numbers cannot be provided by FEMA on a verbal mission the following procedures are established to facilitate the process of inputting verbals in a timely manner. Upon receipt of a verbal MFR, the standard format for verbal pre declaration to accommodate the time lag between a verbal and an actual FEMA mission assignment Form 90-129 will be established as follows:

(b) After the FEMA Form 90-129 (Mission Assignment) is received.

(1) Enter the FEMA mission assignment number on the existing customer order in the ”Rev. MAN” field CEFMS Screen 2.13. See Table 5-1

(2) In addition, check to ensure the amount received on verbal is equal to the amount on the FEMA Form 90-129. If amount shown on MFR does not agree with amount shown on FEMA Form 90-129, simply make an increase or decrease to adjust the funding in CEFMS to match amount shown on the official MA. (Verbals are preliminary estimates only) This verbal mission assignment will be followed up by a Mission Assignment (MA) within 2-3 days. The MA Number is subject to change and if different, will be entered in the revised MA field on the

customer order.screen in CEFMS. Also, in the remarks section of the CEFMS customer order screen, the MSC/District will be required to explain any differences in dollar amounts, MA numbers and date changes. This will track verbal MAs with the actual MAs received from FEMA. Monthly progress and reconciliation reports to FEMA will be done through FEMA's website located at: www.fema.gov.

Table 5-1 CUSTOMER ORDER – ORDER INFORMATION Screen 2.13

<i>CEFMS FIELD TITLE</i>	<i>INFORMATION TITLE</i>	<i>SAMPLE ENTRY</i>
CUSTOMER ORDER NO	STANDARD MISSION ASSIGNMENT NO.	SAD60FL-JEANNE-V
Revised Mission Assignment #	Actual Mission Number	7220SU-FL-COE-SAD-60
CUSTOMER REF NO	ACTUAL MISSION ASSIGNMENT NO. FEMA'S FUND CITATION	7220SU-FL-COE-SAD-02 2004-06-7220SU-9044-2508-D
OTH CUSTOMER REF NO	MISSION NAME EVENT NAME	REGIONAL ACTIVATION HURRICANE JEANNE

(5) Emergency Declaration (post declaration). Upon receipt of FEMA Form 90-129, the standard format for mission assignment customer order numbers should be established as follows:

SAD - 01 - PR - 3222EM
DIVISION MISSION # DISASTER STATE EMERGENCY PROGRAM CODE

SAD-01-PR-3222EM, (South Atlantic Division, mission #1, Puerto Rico, Emergency Program Code.)

(6) Major Disaster Declaration (post declaration). Upon receipt of FEMA Form 90-129, the standard format for mission assignment customer order numbers should be established as follows:

SAD - 02 - FL - 1561DR
DIVISION MISSION # DISASTER STATE DISASTER PROGRAM CODE

SAD-02-FL-1561DR, (definition: South Atlantic Division, mission #2, Florida, Disaster Program Code.)

a. After the customer order number has been properly structured, include additional information on CEFMS Screen 2.13, Customer Order - Order Information Screen (see Table 5-2). Under "CUSTOMER REF NO" field, enter the *actual* mission assignment number, and FEMA's fund citation as shown on FEMA Form 90-129. Under CEFMS field "OTH CUSTOMER REF NO," enter the name of the mission first (i.e., Regional Activation) and event name such as "Hurricane Jeanne." This information will then appear on all customer order billings associated with the mission.

Table 5-2 CUSTOMER ORDER – ORDER INFORMATION Screen 2.13

<i>CEFMS FIELD TITLE</i>	<i>INFORMATION TITLE</i>	<i>SAMPLE ENTRY</i>
CUSTOMER ORDER NO	STANDARD MISSION ASSIGNMENT NO.	SAD-02-FL-1561DR
CUSTOMER REF NO	ACTUAL MISSION ASSIGNMENT NO. FEMA'S FUNDS CITATION	1561DR-FL-COE-SAD-02 2004-06-1561DR-9044-2508-D
OTH CUSTOMER REF NO	MISSION NAME EVENT NAME	REGIONAL ACTIVATION HURRICANE JEANNE

b. Each MA is issued for a specific mission and may be amended by FEMA to increase or decrease funding or change the project completion date. The MA funding is subject to provisions of the Anti-Deficiency Act and will only be used for the specified mission.

c. Requests for additional funding must be timely to preclude work stoppage. Such requests to FEMA are made by the ESF#3 representative.

d. The supported MSC/District **will** issue only one government order per FEMA mission assignment per supporting MSC/District. At a minimum, government orders issued by the supported MSC/District should contain information shown at Appendix C- 7. Government orders should not reflect individual names on line items, Additional information (i.e. names, tasker #, etc.) will be entered in the remarks section of the government order. An ENGLINK tasker for a selected employee must exist before a government order can be issued. Changes to an employee's mission must be supported by an amended ENGLINK tasker and the supported MSC/District must issue or amend the government order as appropriate.

e. The 249th Engineer Battalion (Prime Power) is activated and funded by FEMA as part of a mission assignment under an ESF #3 mission. The supported MSC/District will transmit a government order to EROC code W3.

f. If a RMPRT member is redeployed from the RRCC or JFO to the RFO and works two or more missions simultaneously, the member should continue to charge to the activation mission; however, if the RMPRT member works only one mission at the RFO, the member should charge to that mission. When a RMPRT member is redeployed to the supported MSC/District EOC, the funding should change from the activation mission (FEMA funding) to 96X3125, category 210; however, RMPRT members at their home station should charge in accordance with the Direct Charge Matrix, Appendix C-8 through C-14.

g. Unliquidated obligation reviews should be performed as often as required but no less than every 90 days from receipt of initial funding.

5-4. Funding –USACE Supported MSC/District Verbal Memorandum for Record for Supporting MSC/District

a. In the event the Department of Homeland Security Federal Emergency Management Agency (FEMA) requests disaster assistance support requiring USACE personnel to travel with notice of 24 hours or less, the following process is **available to the supported district only after receipt of a Verbal/Mission Assignment from FEMA. This process only applies to individuals (early responders) leaving with 24 hours or less notice, after receipt of a Verbal/Mission Assignment from FEMA. After 24 hours, a “Verbal MFR” from supported to supporting activity is no longer valid.**

b. Once a FEMA Verbal/Mission Assignment has been received, the supported MSC/District may issue a verbal Memorandum For Record (MFR) to a supporting MSC/District for early responder(s) to depart. The supporting MSC/District must receive the Government Order (GO) from the supported MSC/District through CEFMS within 48 hours after issuance of the “Verbal MFR” from the supported MSC/District. If the GO has not been received within the time frame provided, the supporting MSC/District must contact the Chief, Emergency Management and/or the Chief, Finance and Accounting Office from the supported MSC/District and obtain the GO. After the supported MSC/District has officially recorded the GO in CEFMS, they will attach the “Verbal MFR” behind the GO for supporting documentation and future audit purposes. The supported MSC/District must establish a log sheet to ensure funds control. Also, in order to establish a clear audit trail of the “Verbal MFR” from the supported MSC/District, the supporting MSC/District upon receipt of the GO from the supported District must record the customer order in CEFMS and enter the tracking number in the field “Revised Mission Assignment (rev. man.) located on the Customer Order screen, 2.13 directly under Customer Order Number) and enter **“Verbal MFR”** in the remarks section. Included in the “Verbal MFR” form is the mission assignment number, event name description, disaster state, time, date, and estimated completion date, amount authorized and tracking number. The USACE memo authorizing a “Verbal MFR” is provided at Appendix C-28 and a sample “Verbal MFR” requiring both the signature of the Chief, Emergency Management and the Chief, Finance and Accounting Office and/or his/her designee(s) is provided at Appendix C-29.

5-5. Funding – Supporting MSC/District.

a. The supporting MSC/District will receive only one customer order from the supported MSC/District per FEMA mission assignment. The customer order should be received by the Supporting MSC/District for emergency assistance via CEFMS electronic transmission. If additional funding is required, an amendment to the original customer order will be issued. Supporting MSC/District(s) receiving work from a supported MSC/District **must also use the CIC “99FEM”** when establishing work items. Work items established in the P2 environment must also be coded “99FEM” in CEFMS.

b. Labor and travel costs incurred by individuals from supporting activities will be charged to the appropriate FEMA mission.

c. The supporting MSC/District should record each customer order as intra-Corps “automatic” reimbursable work under financing appropriation 96X3125. The source appropriation for the supporting MSC/District is 96X3125 and the initial source appropriation is 70X0702.

Table 5-3 CUSTOMER ORDER – ORDER INFORMATION Screen 2.13

<i>CEFMS FIELD TITLE</i>	<i>INFORMATION TITLE</i>	<i>SAMPLE ENTRY</i>
CUSTOMER ORDER NO	GOVERNMENT ORDER NO.	WB0YH282807777
CUSTOMER REF NO	ACTUAL MISSION ASSIGNMENT NO. FEMA’S FUNDS CITATION	1561DR-FL-COE-SAD-02 2004-06-1561DR-9044-2508-D
OH CUSTOMER REF NO	SUPPORTING MSC/DIST’S WORK ITEM MISSION DESCRIPTION EVENT NAME	031X46 REGIONAL ACTIVATION HURRICANE JEANNE

d. If there is a change of mission for an employee, the supported MSC/District should issue or amend the government order as appropriate prior to the end of the pay period of the mission change. The supporting MSC/District is issued a new work item for the new mission, if necessary.

e. Unliquidated obligation reviews should be performed as required, but no less than every 90 days upon receipt of initial funding.

5-6. Funding – USACE Verbal Memorandum For Record for Supporting MSC/District.

a. Once the “Verbal MFR” form has been received from the supported MSC/District, the early responder must have written authorization from the UOC (USACE Emergency Operations Center) indicating he and/or she is an early responder pursuant to the Verbal/Mission Assignment from the Department of Homeland Security (FEMA). When the Emergency Management Office receives the “Verbal MFR”, they must immediately provide a copy to the Resource Management Office for supporting documentation. The early responder must obtain confirmatory travel authorization as provided in the memorandum dated 03 April 2006; subject: Confirmatory Travel for First Responders During a Disaster. See Appendix D-7/8. When recording the customer order in CEFMS the tracking number must be entered in the field Revised Mission Assignment (rev. man. located on the Customer Order screen, 2.13 directly under Customer Order Number) and “**Verbal MFR**” must be entered in the remarks section. Once completed, a copy of the

customer order and the “Verbal MFR” must be retained for supporting documentation and audit purposes. Once the supporting MSC/District has recorded the (CO) in CEFMS the Resource Management office must set up work item(s) entering “Verbal MFR” in the description. Once funding has been established, the individual and/or designated person in the Emergency Management Office must create Labor Purchase Request & Commitments (PR&C’s), and input the early responder(s) confirmatory travel orders in CEFMS. **Note: It is imperative that Emergency Management and Resource Management coordinate with each other for this process to succeed. A “Verbal MFR” will not be accepted by the supporting activity after 24 hours.**

5-7. Eligible/Ineligible Costs.

a. Consideration for purchases of non-expendable items should be based upon immediate validated need taking into consideration that this is a temporary situation and that other agencies may have supplies available. FEMA approval is required prior to taking any action.

b. Acquisition of expendable equipment/supplies must be supported with written justification and coordinated with the ESF #3 Team Leader and FEMA and processed through the deployed logistics office. When preparing PR&Cs for government card purchases, Supported and Supporting MSC/Districts must be specific in itemizing the specific purchases being made. It is critical that the line item description(s) list the detail items/services being requested. For example, a line item description such as “*Hurricane Ivan Voyager/Visa Expenses*” is insufficient in describing the government card purchases.

A proper description would be to identify the items such as portable light towers, generators, windshield wipers for RRVs, ECCVs, preventive and scheduled maintenance costs (oil, filters, belts), etc., on the line item description of the government credit card PR&C. The proper identification of PR&C line item descriptions becomes a critical issue when requesting reimbursement from FEMA.

c. Awaiting Decision on payment of interest penalties.

d. See reference ER-11-1-320, Appendix E, for additional information. See Appendix C-27 for eligible/ineligible reimbursement for specific items. Safety Shoes will normally be reimbursed up to \$120 and are not required to be turned in. For specifics regarding Safety Shoe reimbursement see Appendix C31-C35.

5-8. Billing Procedures.

a. Supported MSC/District receiving missions from FEMA are required to bill FEMA directly. All bills should be mailed to FEMA’s Disaster Finance Center (DFC). See page 5-10 for the mailing address.

(1) Ensure the required **supporting documentation** along with the **Mission Assignment Reimbursement Transmittal Form** are submitted to FEMA by the tenth workday. Supporting documentation includes:

(a) **Supported MSC/District's documentation:** DA Form 4445-R and Customer Order Detailed Costs report (CUORDERD) for work performed by the Supported Activity. (These documents are to be printed on the third workday of each month.)

(b) **Supporting (performing) MSC/District's documentation:** DA Form 4445-R and Customer Order Detailed Costs report (CUORDERD) for work performed by other Corps activities. (Note: Whenever work is done by other Corps Activities, FEMA requires the same documentation required of Supported Activities (except for the Reimbursement transmittal form and signature) such as the detailed breakdown of costs i.e. travel, labor, contractual services, etc. *USACE Finance Center is responsible for providing this documentation to the Supported MSC/District on a monthly basis (by the 5th workday).*

(c) **Other Federal Agency (OFA) Documentation:** If work was assigned to another Federal agency such as the Department of Interior, Defense Contracting Audit Agency (DCAA), Defense Civilian Pay System (DCPS), Office of Personnel Management (OPM), Forestry, etc., their bill and detailed cost ledger are also required prior to submitting reimbursement requests to FEMA. In addition, OFAs are required to complete Appendix C-17 <http://www.fema.gov/pdf/ofm/transmittal.pdf> and submit to the Supported MSC/District for approval. This form is not to be sent directly to FEMA by another OFA, but will be provided to the supported MSC/District office. OFAs may not always provide the documentation in a timely manner; therefore, supported MSC/Districts must contact the OFAs to obtain the required documentation prior to submitting bills to DFC.

(2) **Mission Assignment Reimbursement Transmittal Form (see appendix C-15 through C-16):** This form must be completed only by the Supported MSC/District upon requesting reimbursement from FEMA. This form must be signed by an individual who is authorized to certify that the charges being billed against the FEMA mission(s) are valid and are in accordance with governing regulations. (Note: Supporting "performing" MSC/Districts must not complete this form.) For more details on FEMA billing: www.fema.gov/ofm/ofed_agencies.shtm.

(3) Submit bills (with supporting documentation and Mission Assignment Reimbursement Transmittal Form) to FEMA by the 10th workday of each month. Enclose one bill per envelope and forward to:

ROUTINE MAIL

FEMA, Disaster Finance Center, Bldg 708
OFA Payments Section or
P. O. Box 800
Mt. Weather, VA 22611-0800

EXPRESS MAIL

FEMA, Disaster Finance Center, Bldg 708
OFA Payments Section
19844 Blueridge Mountain Rd.
Mt. Weather, VA 22611-0800

(4) Resolve any disputes regarding the preparation or submission of bills through the RM. Resolve any disputes regarding technical issues concerning the emergency support mission through the EM.

(5) Submit the final bill using the checklist at Appendix C-18 no later than 90 days after completion of the mission assignment or upon written notification from FEMA that the mission assignment is terminated. Bill of Lading and transfer of property must be attached to each invoice containing accountable property as FEMA policy requires proof of disposition prior to reimbursement. In addition to submitting invoices to FEMA, a file copy should be retained as well as supporting documents and a copy provided to RM.

5-9. Financial Closeout.

a. EM is responsible for notifying FEMA and RM when the work is completed. RM will maintain a copy of the physical close out memorandum on file. In order to initiate financial close –out, obtain a signed physical close out memorandum from the Division EM Office. All physical closeouts will be done by an ESF #3 Team Leader/Alternate Team Leader and sent to the Division once it is signed by FEMA.

b. EM/RM should de-commit and de-obligate all remaining funds pertaining to the mission assignment after receipt of a deobligation amendment from FEMA.

c. RM should issue a government order close-out memorandum to supporting MSC/District related to the mission assignment. See sample format at Appendix C-19.

d. The responsible employee should remove PR&C authorizations from the funded work items.

e. The supported MSC/District must issue a financial close out memorandum via RM to FEMA. See sample financial close out memorandum and checklist at Appendix C-20/21.

f. Ensure credit balances are resolved and refunded to FEMA. The Finance Center is responsible for sending refund checks to FEMA.

(1) Although credit bills in CEFMS may be created due to over billing over payments, cost transfers, and other in-house adjustments, etc., These bills are not typically generated prior to submitting a final bill to FEMA.

(2) The same documentation required for debit bills is also required for credit bills. See Appendix C-18.

(3) See SOP number UFC-16, dated 26 April 2004 for further guidance. See Appendix C-22 through C-25.

g. . Once physically complete, a review will be performed by Emergency Management, Resource Management, Contracting, Construction, and the Mission Manager to determine if funds can be partially returned to FEMA. Continue to do monthly progress reports to FEMA until mission is closed at the website locates at: www.fema.gov . A letter for Partial Return of Funds to FEMA will be completed; Sample Memo, Appendix C-30. Mail original to FEMA, e-mail copy to Division EOC, and keep a copy in the MA notebook. (The partial return of funds to FEMA should go directly to the specific FEMA Region responsible for the Supported MSC/ District's missions. This request should not go to the FEMA Finance Center in Berryville, VA.) Do not remove funds out of CEFMS until receipt of the FEMA Form 90-129 reducing the funds.

h. Financial closeout should be accomplished as soon as possible, but NLT 90 days after mission completion. See Appendix C-26 for sample letter for return of excess funds to FEMA.

i. In the case of litigation costs, close coordination between RM, EM and Office of Counsel is required. When FEMA's Office of General Counsel (OGC) has determined that litigation costs will be reimbursed, an Interagency Agreement will be issued by FEMA to cover litigation costs. (FEMA tracks litigation expenses by way of the IA (FEMA Form 40-3) instrument). FEMA will close a disaster mission even though litigation is pending. All requests for litigation claims reimbursement must be directed to:

DHS/FEMA OGC
500 C. Street S.W.
Washington, DC 20472
(202) 646-4163

j. RM and EM must continue to monitor the status until the bills are paid.

k. All financial records, supporting documents, statistical records, and other records pertinent to the provision of services must be retained. These records should be accessible for the purpose of audits, excerpts, and transcripts for 6 years and 3 months from the submission of the final billing.